

Pending

AMENDMENT NO. _____

Calendar No. _____

Purpose: To regulate the sale and possession of armor piercing ammunition, and for other purposes.

IN THE SENATE OF THE UNITED STATES—108th Cong., 2d Sess.

S. 1805

To prohibit civil liability actions from being brought or con-

AMENDMENT No.**2625** s, or
result-

By

Craig for Frist

To:

S. 1805

Refer

4
Page(s)

GPO: 2002 83-247(Mac)

AMENDMENT intended to be proposed by Mr. ~~Harper~~ to
the amendment (No. _____) proposed by Mr. ~~KENNEDY~~

*Frist
Craig*

Viz:

*At the appropriate place.*1 ~~In lieu of the matter proposed to be added,~~ add the

2 following:

3 **SEC. 5. ARMOR PIERCING AMMUNITION.**

4 (a) UNLAWFUL ACTS.—Section 922(a) of title 18,

5 United States Code, is amended by striking paragraphs

6 (7) and (8) and inserting the following:

7 “(7) for any person to manufacture or import

8 armor piercing ammunition, unless—

1 “(A) the manufacture of such ammunition
2 is for the use of the United States, any depart-
3 ment or agency of the United States, any State,
4 or any department, agency, or political subdivi-
5 sion of a State;

6 “(B) the manufacture of such ammunition
7 is for the purpose of exportation; or

8 “(C) the manufacture or importation of
9 such ammunition is for the purpose of testing
10 or experimentation and has been authorized by
11 the Attorney General.

12 “(8) for any manufacturer or importer to sell or
13 deliver armor piercing ammunition, unless such sale
14 or delivery—

15 “(A) is for the use of the United States,
16 any department or agency of the United States,
17 any State, or any department, agency, or polit-
18 ical subdivision of a State;

19 “(B) is for the purpose of exportation; or

20 “(C) is for the purpose of testing or ex-
21 perimentation and has been authorized by the
22 Attorney General.”.

23 (b) PENALTIES.—Section 924(c) of title 18, United
24 States Code, is amended by adding at the end the fol-
25 lowing:

1 “(5) Except to the extent that a greater minimum
2 sentence is otherwise provided under this subsection, or
3 by any other provision of law, any person who, during and
4 in relation to any crime of violence or drug trafficking
5 crime (including a crime of violence or drug trafficking
6 crime that provides for an enhanced punishment if com-
7 mitted by the use of a deadly or dangerous weapon or de-
8 vice) for which the person may be prosecuted in a court
9 of the United States, uses or carries armor piercing am-
10 munition, or who, in furtherance of any such crime, pos-
11 sesses armor piercing ammunition, shall, in addition to the
12 punishment provided for such crime of violence or drug
13 trafficking crime or conviction under this section—

14 “(A) be sentenced to a term of imprisonment of
15 not less than 15 years;

16 “(B) if death results from the use of such
17 ammunition—

18 “(i) if the killing is murder (as defined in
19 section 1111), be punished by death or sen-
20 tenced to a term of imprisonment for any term
21 of years or for life; and

22 “(ii) if the killing is manslaughter (as de-
23 fined in section 1112), be punished as provided
24 in section 1112.”.

25 (c) STUDY AND REPORT.—

1 (1) STUDY.—The Attorney General shall con-
2 duct a study to determine whether a uniform stand-
3 ard for the uniform testing of projectiles against
4 Body Armor is feasible.

5 (2) ISSUES TO BE STUDIED.—The study con-
6 ducted under paragraph (1) shall include—

7 (A) variations in performance that are re-
8 lated to the length of the barrel of the handgun
9 or centerfire rifle from which the projectile is
10 fired; and

11 (B) the amount of powder used to propel
12 the projectile.

13 (3) REPORT.—Not later than 2 years after the
14 date of enactment of this Act, the Attorney General
15 shall submit a report containing the results of the
16 study conducted under this subsection to—

17 (A) the chairman and ranking member of
18 the Judiciary Committee of the Senate; and

19 (B) the chairman and ranking member of
20 the Judiciary Committee of the House of Rep-
21 resentatives.